

1 AN ACT in relation to municipal appropriations.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 8-2-9 as follows:

6 (65 ILCS 5/8-2-9) (from Ch. 24, par. 8-2-9)

7 Sec. 8-2-9. Municipalities with populations under
8 500,000. In municipalities with fewer less than 500,000
9 inhabitants, the corporate authorities shall pass an
10 ordinance within the first quarter of each fiscal year, to be
11 termed the annual appropriation ordinance. In this ordinance,
12 the corporate authorities (i) may appropriate sums of money
13 deemed necessary to defray all necessary expenses and
14 liabilities of the municipalities, including the amounts to
15 be deposited in the reserves provided for in the Illinois
16 Pension Code and (ii) shall specify the objects and purposes
17 for which these appropriations are made and the amount
18 appropriated for each object or purpose. Among the objects
19 and purposes specified shall be the reserves provided for in
20 the Illinois Pension Code. Except as otherwise provided, no
21 further appropriations shall be made at any other time within
22 the same fiscal year, unless a proposition to make each
23 additional appropriation has been first sanctioned by a
24 petition signed by electors of the municipality numbering
25 more than 50% of the number of votes cast for the candidates
26 for mayor or president at the last preceding general
27 municipal election at which a mayor or president was elected,
28 by a petition signed by them, or by a majority of those
29 voting on the question at a regular election or at an
30 emergency referendum authorized in accordance with the
31 general election law. The corporate authorities may by

1 ordinance initiate the submission of the proposition. During
2 any fiscal year, the corporate authorities in municipalities
3 subject to this Section may adopt a supplemental
4 appropriation ordinance in an amount not in excess of the
5 aggregate of any additional revenue available to the
6 municipality, or estimated to be received by the municipality
7 after the adoption of the annual appropriation ordinance for
8 that fiscal year, or from fund balances available when the
9 annual appropriation ordinance was adopted but that were not
10 appropriated at that time. The provisions of this Section
11 prohibiting further appropriations without sanction by
12 petition or election shall not be applicable to the
13 supplemental appropriation for that fiscal year. The
14 corporate authorities at any time, however, by a two-thirds
15 vote of all the members of the body, may make transfers
16 ~~within--any--department--or--other--separate--agency--of--the~~
17 ~~municipal--government~~ of sums of money appropriated for one
18 corporate object or purpose to another corporate object or
19 purpose, but no appropriation for any object or purpose shall
20 thereby be reduced below an amount sufficient to cover all
21 obligations incurred or to be incurred against the
22 appropriation. Nothing in this Section shall deprive the
23 corporate authorities of the power to provide for and cause
24 to be paid from the funds of the municipality any charge
25 imposed by law without the action of the corporate
26 authorities, the payment of which is ordered by a court of
27 competent jurisdiction.

28 At least 10 days before the adoption of the annual
29 appropriation ordinance, the corporate authorities of
30 municipalities over 2,000 in population shall make the
31 proposed appropriation ordinance or a formally prepared
32 appropriation or budget document upon which the annual
33 appropriation ordinance will be based conveniently available
34 to public inspection. In addition, the corporate authorities

1 shall hold at least one public hearing on that proposed
2 appropriation ordinance. Notice of this hearing shall be
3 given by publication in one or more newspapers published in
4 the municipality or, if there is none published in the
5 municipality, in a newspaper published in the county and
6 having general circulation in the municipality at least 10
7 days before the time of the public hearing. The notice shall
8 state the time and place of the hearing and the place where
9 copies of the proposed appropriation ordinance or formally
10 prepared appropriation or budget document will be accessible
11 for examination. The annual appropriation ordinance may be
12 passed adopted at the same meeting at which the public
13 hearing is held or at any time after that public hearing.

14 After the public hearing and before final action is taken
15 on the appropriation ordinance, the corporate authorities may
16 revise, alter, increase, or decrease the items contained in
17 the ordinance.

18 Notwithstanding any above provision of this Section, any
19 municipality in which Article 5 becomes effective after the
20 annual appropriation ordinance has been passed for the
21 current fiscal year may amend the appropriation ordinance in
22 any manner necessary to make Article 5 fully operative in
23 that municipality for that fiscal year. No amendment shall be
24 construed, however, to affect any tax levy made on the basis
25 of the original appropriation ordinance.

26 This Section does not apply to municipalities operating
27 under special charters.

28 (Source: P.A. 86-1470; 87-365.)